

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44022 of 2023

Arising Out of PS. Case No.-133 Year-2023 Thana- KARAHGAR District- Rohtas

Manoj Singh @ Manoj Kumar Singh, S/O Rajendra Singh, R/O Village-
Palatudihra, Ps. Kargahar (BARAHARI O.P.) Dist. Rohtas At Sasaram

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Babu Nandan Prasad, Advocate

For the Opposite Party/s : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 04-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner, in the present case, is seeking pre-arrest bail in connection with Kargahar (Barahari O.P.) P.S. Case No.133 of 2023 registered for the offences punishable under Sections 341, 354 and 506/34 of the Indian Penal Code and Section 12 of POCSO Act. The petitioner has got no criminal antecedent.

3. As per the prosecution story, the informant alleged that on 14.04.2023 at about 12.00 to 12.30 (noon) his daughter aged about 16 years was going to her house from Hitech Computer Academy, in the way the petitioner and one stranger surrounded her and started talking to her in wrong way. It is further alleged that thereafter the petitioner forcefully prepared



the video of the victim girl from his mobile and started molesting her.

4. Learned counsel for the petitioner submits that both the parties are from neighbouring village and there is no allegation of commission of any overt act against the petitioner. Learned counsel submits that now the informant has filed a petition in the learned court below saying that she had taken the name of the petitioner wrongly at the instance of another person.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the submission that both the parties are from neighbouring village, there is no allegation of commission of any overt act and the submission being that both the parties are living peacefully and now the informant is said to have filed a petition in the learned court below saying that she had taken the name of the petitioner wrongly at the instance of another person and the petitioner has otherwise no criminal antecedent, this Court directs that in case of his arrest/surrender within a period of four weeks from today, let the petitioner above-named be enlarged on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions



Judge-VI, Exclusive Special Court, POCSO, Rothas at Sasaram in connection with Kargahar (Barahari O.P.) P.S. Case No. 133 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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